

CASE CONCLUSION DATA SHEET

NAME James L. Graham, Jr.
 PHONE (214) 665-2296
 DATE July 17, 2003

A. Case and Facility Background

1. Oeca (Enforcement) Docket Number 06- - - - -
 2. Court Docket/Program docket/Regional Hearing Clerk administrative Number CWA-06-2003-4545
 3. Case Name Denbury Resources, Inc.
 INFORMATION FOR ONE FACILITY: (IF More Than One Facility, See attached Form)
 4 (a) EPA-FINDS Facility Number _____
 (b) EPA-PROGRAM Identification Number _____
 5. Facility Name: Denbury Resources, Inc.; Common Tank Battery No. 2, Lirette Oil & Gas Field, Terrebonne Ph. LA
 6. Facility Address: Street: 5100 Tennyson Parkway, Ste 3000 City: Plano State: TX Zip 75024
 7. (a) Primary SIC Code 1 3 1 1 (b) Other SIC Codes _____ / _____ / _____ / _____
 8. Dun & Bradstreet Number _____
 9. EPA Program Contact (s) James L. Graham, Jr. P.E.
 EPA LEAD Attorney _____ EPA Co-Attorney _____
 10. Authorizing Law(s)/Section(s) For Civil/Administrative Action: Law: CWA /Section: 311(b)(6)(B)

11. Statute(s) and Section(s) Violated (Not Authorizing Law/Section nor cfr) Law: CWA /Section: 311(b)(3)

12. Action Type:

- _____ (a) Consent Decree or Court Order Resolving a Civil Judicial Action
☒ (b) Administrative Penalty Oder (APO) (With/Without Injunctive Relief)
 _____ (c) Superfund Administrative Cost Recovery Agreement
 _____ (d) Federal Facility Compliance Agreement (Not Including RCRA Matters)
 _____ (e) Field Citation
 _____ (f) Administrative Compliance Orders (AO)
 _____ (g) Notice of determination

13. Administrative Action Date: Disclosed/Issued/Filed 05 / 27 / 03 Final Order: 07 / 10 / 03

14. Civil Judicial Action Date: Referred / / Complaint Filed / / Lodged / / Entered / /

15. Was This A Multi-Media Action? _____ (Yes) No (No)

16. Check All That Apply/Make This A Multi-Media Action: _____ Inspection _____ Complaint _____ Settlement _____ SEP

17. Was This Action A Part Of A Community-Based/Geographic Initiative? _____ Yes No No

(A) Description(Which Initiative) _____

18. Was The Agency Activity Taken In Response To Environmental Justice Concerns? _____ Yes No No

If Yes: _____ EJB - Environmental Justice - Minority Population & Low Income _____ EJI - Environmental Justice - Low Income
 _____ EJM - Environmental Justice - Minority Population _____ EJO - Environmental Justice - Other

19. Was Alternative Dispute Resolution (ADR) Used In This Action? _____ Yes No

B. COMPLIANCE ACTIONS (Non-SEP Related)

20. What action did violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet additional requirements? This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Where separate penalty and/or compliance orders are issued in connection with same violation(s) report the following information for ONLY one of those orders. Select response(s) from the following:

Use Reduction	_____	Testing	_____
Industrial Process Change	_____	Auditing	_____
Emissions/Discharge Change (install/modify controls)	_____	Monitoring Sampling	_____
Storage/Disposal Change	_____	Recordkeeping	<u>X</u>
Remediation	<u>X</u>	Labeling/Manifesting	_____
Restoration	<u>X</u>	Reporting	_____
Removal	<u>X</u>	Information Letter Response	_____
RD/RA	_____	Permit Application	_____
Training	<u>X</u>	Provide Site Access	_____
Site Assessment	_____	RI/FS	_____
No Action (Penalty Only)	_____		
Other (please describe): _____			

21. Cost Of Actions Described In Item #20. (Actual Cost Data Supplied By Violator Is Preferred Figure Or Estimate).

Physical Actions: \$ _____ Non-Physical Actions: \$ _____ 0 _____

22. (A) Quantitative Environmental Impact Of Actions Described In Item #20

9527322



REDUCTIONS/ELIMINATIONS:

Pollutant	Pollutant Code/ICAS #	Amount	Units	(Percent)	Media
				(%)	
				(%)	
				(%)	
				(%)	
				(%)	
				(%)	
				(%)	

REPORTED INFORMATION:

Pollutant	Pollutant Code/CAS #	Amount	Units	(Percent)	Media
Crude Oil	8002059	5	Bbls	(%)	Water
				(%)	
				(%)	
				(%)	
				(%)	
				(%)	

22.(B) Qualitative Environmental Impact Of Actions Listed In Item #20. Select One Or More Of The Following Observed or Predicted Benefits:

Human Health Protection: Actual _____ Potential X Reductions Beyond Compliance Requirements _____
 Worker Protection: Actual _____ Potential _____ Increased Public Awareness _____
 Ecosystem Protection: Actual _____ Potential X Increased Federal/State/Local govt. Knowledge _____
 Environmental Restoration/Land Use: _____ Other (please describe) _____

C. SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP) INFORMATION.

23. Categories of SEP(S). Check All Appropriate Categories: If No Proceed To #28).

- ___ (a) Public Health
 ___ (b) Pollution Prevention:
 ___ (1) Equipment/Technology Modifications
 ___ (2) Process/Procedure Modification
 ___ (3) Product Reformulation/Design
 ___ (4) Raw Materials Substitution
 ___ (5) Improved Housekeeping/O&M/Training/Inventory -control
 ___ (6) In-Process Recycling
 ___ (7) Energy Efficiency/Conservation
 ___ (c) Pollution Reduction
 ___ (d) Environmental Restoration And Protection
 ___ (e) Assessments And Audits
 ___ (f) Environmental Compliance Promotion
 ___ (g) Emergency Planning And Preparedness
 ___ (h) Other SEP Category (Specify) _____

24. SEP Description _____

25. Cost of SEP. Cost Calculated By the Project Model Is Preferred. \$ _____

26. Is Environmental Justice Addressed By SEP? ___ Yes ___ No

27. (a) Quantitative Environmental Impact of SEP; Pollutants and/or Chemicals and/or Waste-Streams, And Amount Of Reductions/ Eliminations (e.g., Emissions/Discharges)

Pollutant	Pollutant Code/CAS	Amount	Units	(Percent)	Media
				(%)	
				(%)	
				(%)	
				(%)	
				(%)	

(b) Qualitative Environmental Impact Of SEP. Select One Or More Of The Following Predicted Benefits:

Human Health Protection: Actual _____ Potential _____
 Worker Protection: Actual _____ Potential _____
 Ecosystem Protection: Actual _____ Potential _____
 Environmental restoration: _____ Increased Public Awareness: _____ Increased federal/State/Local govt. Knowledge: _____
 Other (please describe) _____

D. PENALTY (If There Is No Penalty, Enter 0 And Proceed To #30)

28(a). Assessed Penalty \$ 500.00
28(b). (If Shared) Federal Share \$ _____
28(c). (If Shared) State or Local Share \$ _____
29. For Multi-Media Actions, Federal Amounts By Statute : CWA: \$ _____ CAA: \$ _____ RCRA: \$ _____
TSCA: \$ _____ FIFRA: \$ _____ EPCRA: \$ _____ SDWA: \$ _____ TOTAL: \$ _____

E. COST RECOVERY

30. Amount Cost Recovery Awarded: EPA \$ _____ State And/Or Local Government \$ _____

F. DISCLOSURE POLICY INFORMATION

32. Voluntary Self-Disclosure Policy Considered (Y/N) No
33. Date Violation Disclosed: / / Comments _____
34. Disclosure Under Audit Policy? (Y/N) _____ SBREFA ? (Y/N) _____
35. SIC Code: _____ And/Or NAICS Code: _____
36. Disclosure Under EPA's Small Business Policy (Less Than 100 Employees) (Y/N) _____
37. Disclosure referred by Another Office (Y/N) _____ Office: _____
38. Disclosure Part Of Media/Sector Initiative (Y/N) _____ Initiative: _____
39. Number Of Facilities Associated With This Disclosure: _____
40. Outstanding issues (Y/N) _____

41. PENALTY INFORMATION:

(A) Penalty Calculation Before Mitigation: \$ _____
(B) Number And Amount Of Gravity-Based Penalty Waived: number: _____ \$ _____
(C) Gravity-Based Penalty Assessed: \$ _____
(D) Economic Benefit Assessed: \$ _____

42. Rationale For Not Applying Disclosure Policy:

A. No Violation Found: _____
B. Lack Of Prompt Disclosure: _____
C. Investigation Or Enforcement Preceded Disclosure: _____
D. Discovery Not Voluntary: _____
E. Violation Not Corrected Expeditiously: _____
F. Cooperation Insufficient: _____
G. Repeat Violations Within Past 3 years: _____
H. Consent Agreement Violated: _____
I. Federal Facility That Would Be Liable For A Penalty: _____
J. Actual Serious Harm Or Imminent & Substantial Endangerment: _____

CASE CLOSURE FORM

Name of Case: Denbury Resources, Inc.

Docket Number: CWA-06-2003-4545

Date Complaint Issued: 05-27-03

Date Concluded: 07-10-03

How Concluded: Penalty paid and Final Order signed


Date of Case Conclusion Data Sheet: 7-17-03

Date Penalty Due: 06-30-03

Date Penalty Collected: 06-09-03

Additional Settlement Conditions: None

Date Settlement Conditions Satisfied:



Attorney/Case Handler

7-17-03

Date